

~~Judge Lefkowitz~~

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

PHILIP WALKER SHAW,
a/k/a "Piyush Shah,"

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: DEC 04 2007
INDICTMENT

07 Cr.

07 CRIM 1093

COUNT ONE

07 CRIM 1093

The Grand Jury charges:

1. From at least in or about June 2007, up to and including in or about October 2007, in the Southern District of New York and elsewhere, PHILIP WALKER SHAW, a/k/a "Piyush Shah," the defendant, unlawfully, willfully, and knowingly and with intent to defraud did effect transactions, with one and more access devices issued to another person or persons, to receive payment and a thing of value during a one-year period, the aggregate value of which is equal to and greater than \$1,000, which conduct did affect interstate and foreign commerce, to wit, SHAW made unauthorized use of a credit card issued in the name of another individual to purchase various items that had an aggregate value of more than \$1,000.

(Title 18, United States Code, Section 1029(a)(5).)

COUNT TWO

The Grand Jury further charges:

2. From at least in or about June 2007, up to and including in or about October 2007, in the Southern District of New York and elsewhere, PHILIP WALKER SHAW, a/k/a "Piyush Shah," the defendant, during and in relation to the conduct described in Count One, unlawfully, willfully, and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, SHAW possessed and used the credit card number of a person who had not authorized SHAW to have or use such credit card number.

(Title 18, United States Code, Section 1028A.)

FORFEITURE ALLEGATION
AS TO COUNTS ONE AND TWO

3. As a result of committing the offenses alleged in Counts One and Two of this Indictment, PHILIP WALKER SHAW, a/k/a "Piyush Shah," the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, constituting or derived from proceeds obtained directly or indirectly as a result of the credit card fraud and aggravated identity theft offenses.

Substitute Asset Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C.

§ 982(b) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981,
Title 28, United States Code, Section 2461, and
Title 18, United States Code, Sections 1028A & 1029.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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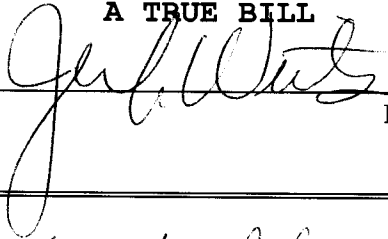
INDICTMENT

07 Cr.

(18 U.S.C. § 1029(a)(5) and
18 U.S.C. § 1028A)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

*Indictment filed, case assigned to
Judge Berman.*

F. Maas, USMJ

Rec'd 11/87

*FC
12/4/07*